

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER 221904-1050
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) TBD 10/561700
INTERNATIONAL APPLICATION NO. PCT/CA2004/000825	INTERNATIONAL FILING DATE 03 June 2004	PRIORITY DATE CLAIMED 26 June 2003
TITLE OF INVENTION PROTON PUMP-INHIBITOR-CONTAINING CAPSULES WHICH COMPRISE SUBUNITS DIFFERENTLY STRUCTURED FOR A DELAYED RELEASE OF THE ACTIVE INGREDIENT		
APPLICANT(S) FOR DO/EO/US ODIDI, Isa; and ODIDI, Amina		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Express Mail Label No. EV628221811US 		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; margin-top: 10px;">10/TBD 61700</div>	INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; margin-top: 10px;">PCT/CA2004/000825</div>	ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; margin-top: 10px;">221904-1050</div>												
23. Other items or information: PTO-1449 form; Two (2) cited references; Request for Correction of Typographical Error; Corrected Front Cover of Corresponding PCT application; Return Postcard; Certificate of Express Mail; Credit Card Authorization Form														
The following fees have been submitted:		CALCULATIONS PTO USE												
24. <input checked="" type="checkbox"/> Basic national fee \$300	\$300.00													
25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ... \$0 All other situations. \$200	\$200.00													
26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500	\$500.00													
TOTAL OF 24, 25 and 26 =		\$1,000.00												
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Total Sheets</td> <td style="width: 15%;">Extra Sheets</td> <td style="width: 35%;">Number of each additional 50 or fraction thereof (round up to a whole)</td> <td style="width: 35%;">RATE</td> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">0 /50 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$250.00</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	- 100 =	0 /50 =	0	x \$250.00	\$0.00					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE											
- 100 =	0 /50 =	0	x \$250.00											
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">CLAIMS</td> <td style="width: 15%;">NUMBER FILED</td> <td style="width: 15%;">NUMBER EXTRA</td> <td style="width: 35%;">RATE</td> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">48 - 20 =</td> <td style="text-align: center;">28</td> <td style="text-align: center;">x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">0 - 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$200.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	48 - 20 =	28	x \$50.00	Independent claims	0 - 3 =	0	x \$200.00	\$1,400.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE											
Total claims	48 - 20 =	28	x \$50.00											
Independent claims	0 - 3 =	0	x \$200.00											
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00		\$0.00												
TOTAL OF ABOVE CALCULATIONS =		\$2,400.00												
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$1,200.00												
SUBTOTAL =		\$1,200.00												
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$0.00												
TOTAL NATIONAL FEE =		\$1,200.00												
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$0.00												
TOTAL FEES ENCLOSED =		\$1,200.00												
Amount to be		\$												
Amount to be		\$												

10/561700

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed. **IAP20 Rec 37 PTO 22 DEC 2005**
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

LINDER, Christopher B.
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP
100 Galleria Parkway, N.W.
Suite 1750
Atlanta, GA 30339-5948
US


SIGNATURE

Christopher B. Linder

NAME

47,751

REGISTRATION NUMBER

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTS

In re: **Odidi et al.**

10/561700

For: **PROTON PUMP-INHIBITOR-CONTAINING CAPSULES WHICH COMPRISE
SUBUNITS DIFFERENTLY STRUCTURED FOR A DELAYED RELEASE OF
THE ACTIVE INGREDIENT**

IAP20 Rec'd PCT/PTO 22 DEC 2005

CERTIFICATE OF EXPRESS MAIL

Mail Stop PCT (DO/EO/US)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard
Transmittal Letter to the US Designated Office
(DO/EO/US) (4 Pages);
Credit Card Authorization Form;
U.S. National Phase Patent Application;
Copy of Published International Application Consisting of:
Publication Page
33 Pages of Specification
7 Pages of Claims
0 Pages of Drawings
International Search Report
Preliminary Amendment
International Search Report and Written Opinion
Request for Correction of Typographical Error;
Corrected Version of the Cover Page of the International
Application;
Information Disclosure Statement;
PTO-1449 form; and
Two (2) cited references

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

Respectfully submitted,

Christopher B. Linder, Reg. No. 47,751

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

100 Galleria Parkway, N.W.
Suite 1750
Atlanta, Georgia 30339-5948

Our Docket No: **221904-1050**

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EV628221811US**.

Date: 22 December 2005


Lara L. O'Brien

IN THE INTERNATIONAL BUREAU OF WIPO

IAP20 Rec'd PCT/PTO 22 DEC 2005

In re PCT patent application

Serial No.: PCT/CA2004/000825

Filed: June 3, 2004

Applicant: ODIDI, Isa et al.

Title: Protein Tyrosine Kinase Inhibitors

Our Ref.: 9577-41 KAM

Date: November 23, 2004

VIA FACSIMILE -Confirmation Copy by Mail

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Dear Sirs:

REQUEST FOR CORRECTION OF TYPOGRAPHICAL ERROR

Further to the International Search Report dated October 22, 2004, please note that with respect to the title, the International Authority has amended the title to read as follows: **"PROTONE PUMP-INHIBITOR-CONTAINING CAPSULE WHICH COMPRISE SUBUNITS DIFFERENTLY STRUCTURED FOR A DELAYED RELEASE OF THE ACTIVE INGREDIENT"**.

Please note that there is a typographical error in this title; the term **"PROTONE"** should read **"PROTON"**.

Please ensure that this title is properly referred to when the above-identified patent application is published.

Respectfully submitted,
SIM & McBURNEY

Kimberly A. McManus

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Sim & McBurney
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Copy:
International Preliminary Examining Authority
European Patent Office
Attention: Eva Boháčová